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OFFICE OF PETITIONS

In re Application of
Wayne E. Maska and Phyllis D. Maska
Application No. 09/775,038
Filed: February 1, 2001
Title: Sexual Enhancement Device

DECISION ON PETITION

This is decision on the petition under 37 CFR 1.137(b), filed October 9, 2007, to revive the above-identified application.

The above-identified application became abandoned for failure to file a timely response to the Restriction Requirement, mailed October 4, 2005, which set a period of one month or thirty days, whichever was longer, to reply. No extensions of time for response were obtained under 37 CFR 1.136(a). The above-identified application became abandoned on November 5, 2005. On September 28, 2006, the Office mailed a Notice of Abandonment.

On November 21, 2006, petitioner filed a petition to withdraw the holding of abandonment, which was dismissed on January 17, 2007. On February 2, 2007, petitioner filed a renewed petition to withdraw the holding of abandonment, which was dismissed on February 8, 2007. On September 17, 2007, petitioner filed a petition under 37 CFR 1.137(b), which was dismissed on September 27, 2007. On October 9, 2007, petitioner filed the present petition.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form an Election; (2) the petition fee of \$750.00; and (3) a proper statement of unintentional delay.

This matter is being forwarded to Technology Center AU 3735.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3211.

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